*e-filed 8/2/07

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION ROBERT ELROY SMITH, CV-05-1439-JF Plaintiff, ORDER OF DISMISSAL V. HYANG SOOK KIM, Defendant. The above named matter came regularly for a Case Management Conference before the Honorable Jeremy Fogel in Courtroom 3, on July 27, 2007 at 10:30 a.m. The parties are present. The above matter is hereby dismissed for lack of jurisdiction without prejudice. Dated: July 30, 2007